

In the
Indiana Supreme Court



IN THE MATTER OF THE)
)
APPROVAL OF LOCAL RULES)
)
FOR BLACKFORD COUNTY)

Case No. 05S00-1406-MS- 427

ORDER APPROVING AMENDED LOCAL RULE

The Judges of the Blackford Circuit and Superior Courts request the approval of amended local rules for caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Blackford Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR05-AR1(E)-6 and LR05-CR00-201 comply with the requirements of Ind. Administrative Rule 1(E), and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules LR05-AR1(E)-6 and LR05-CR00-201 for Blackford Circuit and Superior Courts, set forth as an attachment to this Order, are approved effective July 1, 2014. The Clerk of this Court is directed to forward a copy of this Order to the Hon. John N. Barry, Blackford Superior Court, 110 West Washington Street, Hartford City, IN 47348-2251; the Hon. Dean Young, Blackford Circuit Court, 110 West Washington Street, Hartford City, IN 47348-2251; to the Clerk of the Blackford Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Blackford Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, on June 25, 2014.


Brent E. Dickson
Chief Justice of Indiana



LR05-AR1 (E)-6 WEIGHTED CASELOAD PLAN

Assignment of civil and juvenile cases to comply with caseload plan.

Subject to the discretion of the presiding Judges of the Blackford Circuit and Superior Courts cases shall be assigned by the Clerk to the respective courts in addition to LR05-CR00-201 as follows:

- (1) PROBATE MATTERS (ES, EU, AD, GU, TR). Probate matters shall be filed in the Blackford Circuit Court.
- (2) MENTAL COMMITMENTS (MH). Petitions for mental health commitments shall be filed in the Blackford Circuit Court.
- (3) JUVENILE PROCEEDINGS (JD, JS, JC, JT, JP, JM). All juvenile proceedings shall be filed in the Blackford Circuit Court.
- (4) SMALL CLAIMS (SC), INFRACTIONS (IF) and ORDINANCE VIOLATIONS (OV). All small claims proceedings, infractions and ordinance violations shall be filed in the Blackford Superior Court.
- (5) PROTECTIVE ORDERS (PO). Except as provided by statute where the parties have a pending dissolution or paternity case in the Blackford Circuit Court all protective order proceedings shall be filed in the Blackford Superior Court.
- (6) ALL OTHER CASES (PL, CT, CC, DR, MF, MJ, RS). All other civil cases shall be assigned by the Clerk of the Courts as requested by the Plaintiff/Petitioner at the time of filing. If no specific court is requested the Clerk shall assign the case to a court in a manner that takes into account the number of filings assigned to each court in order to balance caseload and availability of judicial resources.

This local rule constitutes the Blackford Circuit and Superior Courts weighted caseload plan to insure less than a .40 variance of weighted caseloads between the courts. This rule also takes into consideration both personnel and facility considerations of the courts and Clerk's Office.

LR05-CROO-201 ASSIGNMENT OF CRIMINAL CASES

All criminal cases wherein the most serious charge is either a Class "C" Felony, a Class "B" Felony, a Class "A" Felony, a Level 5, a Level 4, a Level 3, a Level 2, a Level 1, or a Murder Felony shall be assigned to the Blackford Circuit Court. All Class "D" or Level 6 Felony Nonsupport cases shall be assigned to the Blackford Circuit Court. All Child Molesting cases shall be assigned to the Blackford Circuit Court. All other criminal cases, not specifically assigned to the Blackford Circuit Court herein, wherein the most serious charge is a Class "D" or a Level 6 Felony including Misdemeanors shall be assigned to the Blackford Superior Court.